



# VILLAGE OF KEY BISCAINE

Office of the Village Manager

*Village Council*  
Mayra P. Lindsay, *Mayor*  
Edward London, *Vice Mayor*  
Franklin H. Caplan  
Luis F. de la Cruz  
Gary R. Gross  
Theodore Holloway  
Michael E. Kelly

*Village Manager*  
John C. Gilbert

## MEMORANDUM

DATE: November 1, 2016  
TO: Honorable Mayor and Members of the Village Council  
FROM: John C. Gilbert, Village Manager  
RE: Property Acquisition-85 West End Drive

### RECOMMENDATION

It is recommended that the Village Council approve the attached Ordinance on second reading authorizing the purchase of the property located at 85 West End Drive which is currently being utilized as a parking facility for Village employees.

### BACKGROUND

During the August 30<sup>th</sup>, 2016 Council Meeting, the Village Council directed our Village Attorney to present the necessary legislation to purchase the property located at 85 West End Drive from Miami-Dade County through its Water and Sewer Department. Both the Village and Miami-Dade County met to discuss and negotiate a purchase price based on the appraisals received by both parties consistent with the agreed upon scope of valuation for the identified property. The agreed upon purchase price for the property is \$1,400,000.

Upon Council approval, the necessary agreements, closing statements, or other documents necessary to consummate the purchase of the Property, subject to the Village Attorney's approval and the approval of the Miami-Dade County Commission, will be properly executed.

The funding for this purchase will be obtained from the FY2016 Capital Improvements Plan-Village Hall Parking Lot Purchase.

Reviewed by Mr. Eduardo M. Soto from Weiss Serota Helfman Cole & Bierman as to form and legal sufficiency.

**ORDINANCE NO. 2016 -**

**A CAPITAL PROJECT AUTHORIZING ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE PURCHASE OF A 20,100 SQ. FT. TRACT OF LAND FROM MIAMI-DADE COUNTY LOCATED AT 85 WEST ENID DRIVE, KEY BISCAYNE, FLORIDA PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Miami-Dade County (the “County”), through its Water and Sewer Department, is the owner of a 20,100 sq. ft. tract of land located along at 85 West Enid Drive within the Village of Key Biscayne, Florida (the “Property”); and

**WHEREAS**, the Village of Key Biscayne, Florida (the “Village”) is currently in possession of the Property and utilizes the Property for a parking facility for Village employees; and

**WHEREAS**, the Village Council desires to purchase the Property from the County to use as a parking facility and for any other governmental purposes; and

**WHEREAS**, the County is desirous of selling the Property to the Village for the intended purposes; and

**WHEREAS**, the Village Council desires to approve the purchase of the Property, provided that the purchase price shall not exceed \$1,400,000.00, pursuant to a written contract which shall be negotiated by the Village Attorney and the Village Manager, and the Village Council desires to authorize the Village Manger to take all appropriate action thereunder to consummate the purchase of the Property; and

**WHEREAS**, the Village Council finds that this Ordinance is in the best interest and welfare of the residents of the Village.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

**Section 2. Contract Approval.** The Village Council hereby approves the purchase of the Property as contemplated in the recitals.

**Section 3. Village Manager Authorized.** The Village Manager is hereby authorized to execute any agreements, closing statements, or other documents necessary to consummate the purchase of the Property, subject to the Village Attorney’s approval as to form, content and legal sufficiency.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED on the first reading this 4th day of October, 2016.

PASSED AND ADOPTED on the second reading this 1st day of November, 2016.

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MAYOR MAYRA PEÑA LINDSAY

ATTEST:

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CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY